ORIGINAL

RECEIVED
FEB 24 1984
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1983

NO. 83-6337

SAMUEL CORRADO, Appellant,

v.

SETH K. GIFFORD, Appellee.

ON APPEAL FROM THE SUPREME COURT OF
THE STATE OF RHODE ISLAND

JURISDICTIONAL STATEMENT

SAMUEL CORRADO
Post Office Box 973
Annex Station
Providence, Rhode Island 02901
(401)-433-2055

Attorney, pro se

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1983

SAMUEL CORRADO, Appellant,

v.

SETH K. GIFFORD, Appellee.

ON APPEAL FROM THE SUPREME COURT
OF THE STATE OF RHODE ISLAND

JURISDICTIONAL STATEMENT

SAMUEL CORRADO, Appellant, appeals from the final order of the Supreme Court of Rhode Island, entered on November 25, 1983, affirming the dismissal of Appellant's appeal from the granting of summary judgment to the plaintiff on defendant's counterclaim, and affirming orders (1) and (2) contained in it's Order entered on May 28, 1982, and Appellant submits this Statement to show that the Supreme Court of the United States has final Jurisdiction in this exasperating appeal for justice and that substantial constitutional questions are presented for review in the present and prior jurisdictional statement that was originally filed and docketed in this action in this Supreme Court on August 16, 1979 in Samuel Corrado v. Seth K. Gifford, No. 79-5217-ASX. Copies of the docket entries and notice of dismissal for want of jurisdiction of said prior appeal are annexed hereto as Appendix

OPINIONS BELOW

The Order of the Supreme Court of Rhode Island, dated July 9, 1981, granting Appellant's motion to remand this case to the Superior Court for hearing on various motions relating to a pending counterclaim; and ordering that following said hearing, the papers herein shall be returned to this court forthwith, is annexed hereto as Appendix A.

The Order of the Supreme Court of Rhode Island, dated March 18, 1982, assigning this case to the show cause calendar, is annexed hereto as Appendix B.

The Order of the Supreme Court of Rhode Island, dated May 28, 1982, dismissing Appellant's appeal from the order entered by a Justice of the Superior Court on February 13, 1980, authorizing payment for the legal fees of plaintiff from the registry of court in the sum of $ 15,467.87; and (2), retaining Appellant's appeal from the entry of summary judgment by a Justice of the Superior Court, dismissing defendant's counterclaim against the plaintiff, is annexed hereto as Appendix C.

The Order of the Supreme Court of Rhode Island, dated September 9, 1982, denying Appellant's petition to reargue his appeal, is annexed hereto as Appendix D.

The Order of the Supreme Court of Rhode Island, dated November 25, 1983, dismissing Appellant's appeal from the granting of summary judgment to the plaintiff on defendant's counterclaim, is annexed hereto as Appendix E.

QUESTION PRESENTED

A. Whether Appellant was deprived of an opportunity at a meaningful time and in a meaningful manner to assert and defend the Federal Constitutional issues intended to be raised and argued before the Supreme Court of Rhode Island that would support his contention of the existence of a conspiracy to obstruct justice and a fraudulent concealment of the tolling of a five (5) year statute of limitation which is a bar to the action before that court, where under Rhode Island Supreme Court Rule, Appellant's oral argument was limited to ten (10) minutes when he was directed to appear and show cause why his appeal should not be denied and dismissed as being without merit, deprived Appellant of due process of law and the equal protection of the laws, in violation of the Fourteenth Amendment to the United States Constitution?

QUESTION PRESENTED

B. Whether the Rhode Island Supreme Court's failure to exercise its Constitutional Jurisdiction and Powers under Amendment XII, 1, of the Rhode Island Constitution and its Jurisdiction and Powers of Court under Title 8, Chapter 1, Section 2, empowering it to correct and prevent errors and abuses when no other remedy is expressly provided, and failed to annul and vacate the judgment entered by a Justice of the Superior Court, granting plaintiff's ex parte motion for summary judgment on the counterclaim of defendant, and judgment entered for the plaintiff in the absence of that court's jurisdiction, and for want of jurisdiction in the absence of the granting of an order for a remand of the case by the Supreme Court of the State of Rhode Island who had exclusive jurisdiction over the Appellant's appeal, deprived Appellant of due process of law and the equal protection of the laws, in violation of the Fourteenth Amendment to the United States Constitution?

The dismissal of Appellant's prior appeal raises a question, whether the entry of the order of the Supreme Court of Rhode Island on May 28, 1982, dismissing Appellant's appeal from the order entered by a Justice of the Superior Court on February 13, 1980, authorizing payment for the plaintiff for his legal fees from the Registry of Court in the sum of $15,467.87, on ground that Appellant's appeal is dismissed, since the action of a Superior Court Justice was taken pursuant to a determination made by the Presiding Justice of the Superior Court on October 24, 1978, and, an appeal from which determination was dismissed by said Supreme Court on December 13, 1979, conditionally, unless a brief was filed by the Appellant on or before January 14, 1980, and, since no brief was filed on said date, said dismissal became unconditional, and, therefore, Appellant cannot reopen this controversy by challenging a formal order entered thereafter in implementation of the order of October 24, 1978; Where the entry of said order of dismissal was entered on May 28, 1982, only three (3) days later following the presentation of Appellant's oral argument before the Supreme Court's hearing panel on May 25, 1982, pursuant to its order that was entered on March 18, 1982, to show cause why his appeal*(singular) should not be denied and dismissed as being without merit, WHEREUNDER, at the time of said hearing before said Supreme Court hearing panel, Appellant claims that he was deprived of an opportunity at a meaningful time and in a meaningful manner to assert and defend the legal and federal constitutional issues he intended to raise before that panel,as a direct result of the Supreme Court Rule that limited Appellant's oral argument to ten (10) minutes, and whereunder said restriction he was deprived of his constitutional rights to raise and defendall the issues raised in that court's Order(1) entered on May 28, 1982, upon the evidence that is supported by the facts of record and also contained in his petition for reargument that said evidence did not exist in the record until after the entries in the Superior Court Case File No. 78-502, under entries No. 31 and 32 under dates of 2-13-80, and under 2-13-80, Lagueux, J; (2-12-80) for sum of $15,750. 80; and 2-13-80 Check in the am't of $15,467.87,released,(Out of M.P. 8602)

The following outline of the effective proceedings that were held before the Rhode Island Supreme Court and the Superior Court is controlling evidence of record that will support the defenses asserted by the Appellant, that the Justice of the Superior Court heard and entered judgment for the plaintiff on the counter-claim of the defendant in the absence of that court's jurisdiction, and for want of jurisdiction in the absence of the filing of a motion to obtain the granting of an order for a remand of the case by the Supreme Court of Rhode Island who had exclusive jurisdiction over the case on appeal under its Rhode Island Constitutional and Statutory Powers, and that fact is supported by the following evidence that is contained in the records of the Superior and the Supreme Court of Rhode Island.

1. On May 22, 1981, counsel for the plaintiff filed a motion for summary judgment on the counterclaim of the defendant, that was assigned for hearing on June 16, 1981. No motion for a remand of the case to the Superior Court was filed in the Supreme Court of Rhode Island.

See Superior Court File No. 78-502, Page 6, Entry # 46, Dated 5-22-81. APPENDIX F, H.

2. On June 3, 1981, Appellant filed a motion in the Rhode Island Supreme Court for an order to remand the case to the Superior Court for hearing on his objection and motion to strike plaintiff's motion for summary judgment that was assigned for hearing on June 16, 1981, for hearing on his objection and motion to strike, that were attached thereto, for entry into the Superior Court record.

See Supreme Court File No. 80-217-A, Page 5, Entry # 18, Dated 6-3-81. APPENDIX G, I.

3. On June 5, 1981, counsel for the plaintiff filed a second motion for summary judgment on the counterclaim of the defendant that was assigned for hearing on June 16, 1981, also. No motion for a remand of the case was filed by the plaintiff in the Supreme Court record.

See Supreme Court File No. 80-217-A, Page 2, No Entry made under Date of 6-5-8; No entry for a remand. APPENDIX G.

4. On June 16, 1981, this case came on for hearing in the Superior Court on plaintiff's motion for summary judgment on the counterclaim of defendant, and on defendant's objection and motion to strike plaintiff's motion for summary judgment on the counterclaim of defendant.

Superior Court File No. 78-502, does not contain any entry of the orders that were entered on the hearings that were held on the matters that were before that court.

See Superior Court File No. 78-502, Page 7, Entry # 50, Dated 6-16-81. APPENDIX F

5. On June 22, 1981, Two (2) orders were entered on the hearings that were held before that court on June 16, 1981,

Order 1 entered in Entry # 51, Dated 6-22-81, and

Order 2 entered in Entry # 52, Dated 6-22-81, were entered as such, without more. Refer to above entries in case.

Order 1 above contained the following:

> This matter came on for hearing on June 16, 1981, before Mr. Justice Torres, upon the motion of plaintiff for the entry of summary judgment in his behalf on the counterclaim filed by defendant Samuel Corrado, and, after hearing thereon, it is hereby ORDERED: That the motion shall pass.

Order 2 above contained the following:

> This matter came on for hearing on June 16, 1981, before Mr. Justice Torres, upon the motion of defendant Samuel Corrado for the entry of an order striking the motion of plaintiff for summary judgment in his behalf on the counterclaim filed by said defendant, and, after hearing thereon, it is hereby ORDERED: That the Motion shall pass.

6. On June 25 1981, Defendant filed a motion in the Supreme Court for leave to file the attached orders that were entered by the Superior Court on June 22, 1981. Said orders were entered in Supreme Court File No. 80-217-A, in Entry #21, Dated 6-25-81.

APPENDIX G, L

7. On July 9, 1981, That Supreme Court entered its Order, including; Appellant's motion to remand this case to the Superior Court for hearing on various motions relating to a pending counterclaim is granted, and following said hearing,the papers herein shall be returned to this court forthwith.

Supreme Court File No. 80-217-A, Entry #24, Dated 7-9-81.

APPENDIX G , A

8. On July 15, 1981 Plaintiff's motion for summary judgment on the counterclaim of defendant was filed in the Superior Court with notice of assignment of hearing on August 4, 1981.

Superior Court File No. 78-502, Page 7, Entry # 53, Dated 7-15-81. APPENDIX F, M

9. On August 4, 1981, Heard on Plaintiff's motion for summary judgment on the counterclaim of defendant, after hearing no objection, same is granted.

Superior Court File No. 78-502, Page 7, Entry # ( ), Dated 8-4-81. APPENDIX F, N

10. On August 4, 1981, Order entered that motion for summary judgment on the counterclaim of defendant is granted.

Superior Court File No. 78-502, Page 7, Entry # 55, Dated 8-4-81. APPENDIX F, N

11. On August 12, 1981, (Supreme Court), PAPERS REMANDED TO CLERK, OF SUPERIOR COURT AS PER ORDER OF 7-9-81. Emphasis added.

Supreme Court File No. 80-217-A, Entry # 32, Page 3, Dated 8-12-81. Refer to APPENDIX A above.

APPENDIX G , A

12. On August 18, 1981, (Supreme Court) Papers remanded to the Superior Court on August 12, 1981,[Emphasis added), are remanded back to the Supreme Court,

Superior Court File No. 78-502, Page 7, Entry (blank), Dated 8-18-81.

APPENDIX F.

13. On August 18, 1981, Papers refiled.

Supreme Court File No. 80-217-A, Page 3, Entry # 3, Dated 8-18-81. APPENDIX G

The outline of the above entries contain substantial and conclusive evidence that is contained in the case records on file in the Superior Court and the Supreme Court of Rhode Island, that because the Supreme Court did not remand the case papers before it in accordance to its Order entered on July 9, 1981, until August 12, 1981, that the Superior Court Justice heard and granted plaintiff's motion for summary judgment for the plaintiff on the counterclaim of the defendant on August 4, 1981, Eight days prior to a remand of the case by the Supreme Court on August 12, 1981, and that the Justice of the Superior Court entered Judgment for the plaintiff on the counterclaim of the defendant on August 7, 1981, Five days prior to a remand of the case by the Supreme Court, whereunder, the Superior Court was without, and for want of its jurisdiction in the absence of a remand of the papers by the Supreme Court, and was in violation of its statutory powers under Rhode Island law.

Appellant submits that the Rhode Island Supreme Court's failure to exercise its Constitutional Jurisdiction and Powers under Amendment XII, 1., of the Rhode Island Constitution and Powers of Court under Title 8, Chapter1, Section 2, empowering it to correct andprevent errors and abuses when no other remedy is expressely provided, and failed to annul and vacate the judgment entered by a Justice of the Superior Court, granting plaintiff's ex parte motion for summary judgment on the counterclaim of defendant, and judgment entered for the plaintiff in the absence of that court's jurisdiction, and for want of jurisdiction in the absence of the granting of an order for a remand of the case by the Supreme Court of Rhode Island who had exclusive jurisdiction over Appellant's appeal, deprived Appellant of due process of law and the equal protection of the laws in violation of the Fourteenth Amendment to the U.S. Constitution.

CONCLUSION

For all the reasons set forth herein and in the Massachusetts v. Mellon case, the Court should note probable jurisdiction over this appeal.

Respectfully submitted,

SAMUEL CORRADO
Post Office Box 973
Annex Station
Providence, R.I. 02901
(401) 433-2055

Attorney, Pro Se

Supreme Court

Seth K. Gifford	:	
	:	
v.	:	No. 80-217-A.
	:	
Samuel Corrado et al.	:	

ORDER

The motions of defendant Samuel Corrado to compel the filing of briefs by the Providence Redevelopment Agency and by plaintiff Seth Gifford as prayed are denied. Said defendant's motion for leave to file certain orders entered in the Superior Court is granted. His motion to remand this case to the Superior Court for hearing on various motions relating to a pending counterclaim is granted. Following said hearing, the papers herein shall be returned to this court forthwith.

Entered as an order of this court this 9th day of July, 1981.

BY ORDER,

Walter J. Kane
Clerk

Supreme Court

Seth K. Gifford	:	
	:	
v.	:	No. 80-217 A
	:	
Samuel Corrado and Providence Redevelopment Agency.	:	

O R D E R

This case is assigned to the show cause calendar.

The defendant Samuel Corrado is directed to appear on a date to be assigned and show cause why his appeal should not be denied and dismissed as being without merit.

Entered as an order of this court this 18th day of March, 1982.

BY ORDER,

Walter J. Kane
Clerk

APPENDIX B

(Entered as an Order of this Court this 28th day of May, 1982)

Supreme Court

No. 80-217-A.

Seth K. Gifford :

v. :

Samuel Corrado :

ORDER

This case came before a hearing panel of this court for oral argument on May 25, 1982, pursuant to an order directed to Samuel Corrado to show cause why his appeal from certain orders entered by the Superior Court should not be dismissed. Upon consideration of Mr. Corrado's brief and arguments of counsel, the following orders are hereby entered:

(1) Mr. Corrado's appeal from the order entered by Justice Lagueux on February 13, 1980, authorizing payment from the registry of court in the sum of $15,467.87 is hereby dismissed. This appeal is dismissed, since the action of Justice Lagueux was taken pursuant to a determination made by Justice Giannini on October 24, 1978, an appeal from which determination was dismissed by this court on December 13, 1979, conditionally, unless a brief was filed on or before January 14, 1980. Since no brief was filed on said date, said dismissal became unconditional. Therefore, Mr. Corrado cannot reopen this controversy by challenging a formal order entered thereafter in implementation of the order of October 24, 1978. See page two (2) below.

APPENDIX C

(2) Mr. Corrado's appeal from a summary judgment entered by Justice McKiernan dismissing Mr. Corrado's counterclaim against Mr. Gifford may be retained on the regular calendar for briefing and argument.

Entered as an Order of this Court this 24th day of May, 1982.

By Order,

Walter J. Kane
Clerk

Chief Justice Bevilacqua and Mr. Justice Kelleher did not participate.

Supreme Court

Seth K. Gifford	:	
	:	
v.	:	No. 80-217 A
	:	
Samuel Corrado et al.	:	

O R D E R

The motion for extension of the time within which to move for reargument is granted. The petition to reargue is denied.

Entered as an order of this court this 9th day of September, 1982.

BY ORDER,

Walter J. Kane

Supreme Court

No. 80-217-Appeal

Seth K. Gifford :

v. :

Samuel Corrado et al :

O R D E R

On May 24, 1982 this Court entered an order dismissing defendant's appeal on all matters except the appeal from granting summary judgment on defendant's counterclaim. The parties were directed to file briefs on this issue.

No briefs have been filed; therefore, the defendant's appeal from the granting of summary judgment to the plaintiff is hereby dismissed subject to reinstatement if his brief is filed within thirty (30) days of this order. No extensions of time will be granted in this matter.

Entered as an Order of this Court this 25th day of November, 1983.

By Order,

Walter J. Kane
Clerk

APPENDIX E

83-6337

SUPREME COURT OF THE
STATE OF RHODE ISLAND

SETH K. GIFFORD :

v. : No. 80-217-Appeal

SAMUEL CORRADO and : (79-19-Appeal)
PROVIDENCE REDEVELOPMENT
AGENCY :

NOTICE OF APPEAL TO THE
SUPREME COURT OF THE UNITED STATES

NOTICE is hereby given that SAMUEL CORRADO, the appellant above-named, appeals to the Supreme Court of the United States, from the final order of the Supreme Court of the State of Rhode Island entered on November 25, 1983, wherein said Order held that the defendant's appeal from the granting of summary judgment to the plaintiff on defendant's counterclaim, was thereby dismissed, subject to reinstatement if his brief is filed within thirty (30) days of said order.

This appeal is taken pursuant to 28 U.S.C. 1257(2).

Appellant Samuel Corrado, will be appearing pro-se under the provisions of 28 U.S.C. 1915.

Samuel Corrado
SAMUEL CORRADO
Post Office Box 973
Annex Station
Providence, RI 02901

AFFIDAVIT OF SERVICE TO PARTIES

I, Samuel Corrado, hereby certify that on December 27, 1983, I mailed a true copy of the within Notice of Appeal to the below listed parties of record, via Certified Mail, Return Receipt Requested, and further certify that all parties to be served, have been served

Marie C. Vaccarelli, Esquire
320 South Main Street
Providence, R.I. 02903

Raymond Manarelli, Esquire
Legal Division, PRA
40 Fountain Street
Providence, R.I. 02903

SIGNED: Samuel Corrado
Samuel Corrado

SWORN and subscribed to before me this 27 day of December, 1983.

Francis J. Pelosi (Notary Public)
Notary Public

83-6337

IN THE SUPREME COURT OF THE
STATE OF RHODE ISLAND

FILED
SUPREME COURT
AUG 17 1981

SETH K. GIFFORD	:	
VS.	:	C.A. NO. 80-217-A.
SAMUEL CORRADO and PROVIDENCE REDEVELOPMENT AGENCY	:	

NOTICE OF APPEAL TO THE UNITED STATES SUPREME COURT

NOTICE is hereby given that Samuel Corrado, Defendant-Appellant above named, hereby appeals to the United States Supreme Court, from the order of this Court granting his motion to remand this case to the Superior Court for hearing on various motions relating to a pending counterclaim, and; Following said hearing, that the papers herein shall be returned to this court forthwith. Entered as an order of this court on the 9th day of July 1981.

Wherein, following the entry of this court's order on July 9, 1981, a justice of the Superior Court entered an order and judgment when this matter came on for hearing on August 4, 1981 on the motion of plaintiff for summary judgment on the counterclaim of defendant, Samuel Corrado. Said motion was heard ex-parte.

This was done in the absence of a remand of the papers to the Clerk of the Superior Court. Said papers, the pleadings, evidence, affidavits and counter affidavits of defense of defendant were and are contained in the record before this Supreme Court. The papers before this court were not remanded to the Clerk of the Superior Court as per order of this Supreme Court until August 12, 1981 about eight days following the entry of judgment for plaintiff on August 4, 1981. Copies of the order and judgment and docket entries attached

This appeal is taken pursuant to 26 U.S.C 1257(2).

Appellant Samuel Corrado will be appearing pro se, under the provisions of 28 U.S.C. 1915.

Attorney pro se,

Samuel Corrado

SAMUEL CORRADO
Post Office Box 973
Annex Station
Providence, R.I. 02901-0973

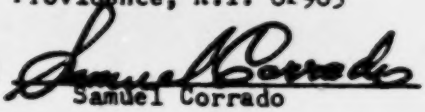
AFFIDAVIT OF SERVICE TO PARTIES
ATTACHED HERETO

AFFIDAVIT OF SERVICE TO PARTIES

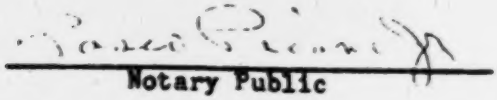
I, Samuel Corrado, hereby certify that on August 17, 1981, I mailed a true copy of the within Notice Of Appeal to the below listed counsel of record via certified mail, return reciept requested, and further certify that all parties of service have been served.

Marie C. Vaccarelli, Esquire
320 South Main Street
Providence, R.I. 02903

Louis J. Cosentino, Esquire
Legal Division, PRA
40 Fountain Street
Providence, R.I. 02903

Signed 
Samuel Corrado

SWORN and subscribed to before me
this 13th day of August, 1981.


Notary Public

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

SETH K. GIFFORD, PLAINTIFF :
:
VS. : C.A. NO. 78-502
:
SAMUEL CORRADO, ET AL :
DEFENDANT :

O R D E R

This matter came on for hearing before Mr. Justice McKiernan on August 4, 1981 on the motion of plaintiff, Seth K. Gifford for the entry of summary judgment in his behalf on the counter-claim filed by defendant, Samuel Corrado.

After hearing thereon it is hereby

ORDERED

Plaintiff's motion for summary judgment on the counter-claim is granted.

BY ORDER:

Dp Clerk

ENTER:

8/5/81

CERTIFICATION

I hereby certify that copies of the within Order were mailed to Cynthia G. Collins, Esquire Sycamore Lane, Matunuck, RI 02879, Louis J. Cosentino, Esquire, Legal Division, PRA, 40 Fountain Street, Providence, RI 02903, and Samuel Corrado, P.O. Box 973, Annex Station, Providence, RI 02901 on the _____ day of August, 1981.

FILED
1981 AUG -4 PM 2:48

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

SETH K. CIFFORD :
:
vs. : C.A. No. 78-502
:
SAMUEL CORRADO and :
PROVIDENCE REDEVELOPMENT AGENCY :

JUDGMENT

This matter came on for hearing before Mr. Justice McKiernan on August 4, 1981 on the motion of plaintiff, Seth K. Gifford, for summary judgment on the counterclaim of defendant, Samuel Corrado, and upon hearing argument of counsel, and upon consideration of the pleading and evidence before the Court; and decision having been rendered on August 4, 1981, it is hereby

ORDERED AND ADJUDGED:

1. That the plaintiff, Seth K. Gifford, is granted summary judgment on the counterclaim of defendant, Samuel Corrado.

2. That judgment is entered for the plaintiff, Seth K. Gifford, on the counterclaim of defendant, Samuel Corrado.

BY ORDER:

Enter:

Entered as an Order of the Court on the ____ day of August, 1981.

CERTIFICATION

I hereby certify that a true copy of the within Judgment was mailed to Cynthia G. Collins, Attorney-at-Law, Sycamore Lane, Matunuck, RI 02879; Louis J. Cosentino, Esquire, Legal Division, PRA, 40 Fountain Street, Providence, RI 02903; and Samuel Corrado, P.O. Box 973, Annex Station, Providence, RI 02901 on the 1st day of August, 1981.

Marie P. Iannuccillo

STATE OF RHODE ISLAND
SUPREME COURT
GENERAL DOCKET

CASE NO.
80-217-A

Seth Gifford v. Samuel Corrado et al

DATE	FILINGS—PROCEEDINGS	FILED
27. 7/27/81	Motion to vacate appellee's brief.	
28. 7/27/81	Objection to appellee's brief being filed.	
29. 7/27/81	Motion for entry into the record U.S. Supreme Court appeal.	
30. 8/3/81	Objection to appeallant's motion to vacate appellee's brief filed.	
31. 8/7/81	Motion to vacate appellee's objection to appeallant's motion to vacate appellee's brief filed.	
32. 8/12/81	Papers remanded to Clerk, Superior Court as per order of 7/9	

TITLE OF CASE	FILE NO.
Seth Gifford vs Samuel Corrado, et al	78-502 DEMAND FOR JURY TRIAL

ATTORNEYS FOR PLFF.	ATTORNEYS FOR DEFT.
Cynthia G. Collins	Louis J. Cosentino Samuel Corrado pro se

NO.	DATE	ENTRIES
42	5/5/80	No official Court record is available as per Cherlyn Lop
	5/5/80	Transcript filed.
	5/5/80	This cause including all papers and exhibits herein, and transcripts (3) certified to the Clerk of Supreme Court.
		SUPREME COURT
	5/5/80	Papers and transcripts (3) filed.
	7/9/81	Order entered: The motions of defendant Samuel Corrado to compel the filing of briefs by the Providence Redevelopt Agency and by plaintiff Seth Gifford as prayed are denie Said defendant's motion for leave to file certain orders entered in the Superior Court is granted. His motion to remand this case to the Superior Court for hearing on various motions relating to a pending counterclaim is granted. Following said hearing, the papers herein shall be returned to this court forthwith.
	8/12/81	Papers remanded to Superior Court.

Best Copy Available

Social Security Award Certificate

C83279

From: Department of Health and Human Services
Social Security Administration

Date
OCT. 12, 1983

Claim Number:
035-18-2297 A

SAMUEL CORRADO
43 WHITE AV
E PROVIDENCE RI 02915

Type of Benefit	Date of Entitlement	Monthly Benefit
RETIREMENT	8/83	$ 261.10

THE AMOUNT OF YOUR FIRST PAYMENT IS $ 522.00.

THE MONTHLY EARNINGS TEST APPLIES ONLY TO 1 YEAR. THAT YEAR IS THE FIRST YEAR YOU HAVE A NONWORK MONTH. OUR RECORDS SHOW THAT 1983 IS THE FIRST YEAR IN WHICH YOU HAD OR WILL HAVE AT LEAST 1 NONWORK MONTH.

THEREFORE, BENEFITS FOR YEARS AFTER THAT WILL BE PAYABLE BASED SOLELY ON YOUR TOTAL EARNINGS.

SHORTLY AFTER 10/06/83, YOU WILL RECEIVE YOUR FIRST PAYMENT WHICH WILL INCLUDE ALL BENEFITS DUE YOU THROUGH 9/83. A PAYMENT FOR $261.00 WILL BE SENT ON OR ABOUT 11/03/83. AFTER THAT, A PAYMENT FOR $261.00 WILL BE SENT EACH MONTH.

BECAUSE OF A CHANGE IN THE LAW, YOUR REGULAR PAYMENT WILL BE ROUNDED DOWN TO THE DOLLAR EVEN THOUGH YOUR MONTHLY BENEFIT OF RECORD MAY BE IN DOLLARS AND CENTS.

EARNINGS FOR 1981,1982,1983 ARE NOT YET ON OUR RECORDS AND HAVE NOT BEEN INCLUDED IN FIGURING YOUR BENEFIT AMOUNT. WHEN THESE EARNINGS ARE AVAILABLE WE WILL PAY YOU ANY INCREASE THAT MAY BE DUE. IT IS NOT NECESSARY TO SUBMIT EVIDENCE OF THESE EARNINGS BUT YOU MAY DO SO IF YOU WANT US TO REFIGURE YOUR BENEFIT SOONER.

BASED ON THE INFORMATION GIVEN TO US, YOU WERE BORN ON 07/18/21.

YOU ARE NOT ELIGIBLE FOR ANY TYPE OF BENEFIT OTHER THAN STATED ON THIS CERTIFICATE. ENTITLEMENT TO ANOTHER BENEFIT ON THIS OR ANY OTHER RECORD IN THE FUTURE REQUIRES A SEPARATE APPLICATION.

IF YOU BELIEVE THIS DETERMINATION IS NOT CORRECT, YOU MAY REQUEST

SEE NEXT PAGE

This certifies that you (or the person(s) on whose behalf you applied), became entitled under the Social Security Act to the social security benefits shown.

John A. Svahn
Commissioner of Social Security

Important: See other side for additional information ▶

Form SSA-L30-C1 (9-81)

02515 CONTINUATION 035-18-2097 A C83279 C

THAT YOUR CASE BE REEXAMINED. IF YOU WANT THIS RECONSIDERATION, YOU MUST REQUEST IT NOT LATER THAN 60 DAYS FROM THE DATE YOU RECEIVE THIS NOTICE. YOU MAY MAKE YOUR REQUEST THROUGH ANY SOCIAL SECURITY OFFICE. IF ADDITIONAL EVIDENCE IS AVAILABLE, YOU SHOULD SUBMIT IT WITH YOUR REQUEST.

Supplemental Security Income Notice

C72

From: Department of Health, Education, and Welfare
Social Security Administration

Date: 10-13-83

Social Security Number:
037-16-0375 DI

*DOROTHY CORRADO
43 WHITE AVE
EAST PROVIDENCE RI 02915

* TYPE OF PAYMENT *
INDIVIDUAL--DISABLED

WE HAVE MADE A CHANGE IN YOUR RECORD. YOUR RECORD NOW SHOWS THAT--

YOUR SPOUSE HAD MONTHLY INCOME OF $104.14 FOR JANUARY 1982 THROUGH MARCH 1982. THIS AMOUNT DOES NOT AFFECT YOUR SUPPLEMENTAL SECURITY INCOME PAYMENT.

YOU HAVE MONTHLY INCOME WHICH MUST BE CONSIDERED IN FIGURING YOUR ELIGIBILITY AS FOLLOWS--

THE NET INCOME FROM SELF-EMPLOYMENT RECEIVED BY YOUR SPOUSE OF $104.14 FOR APRIL 1982 THROUGH DECEMBER 1982 AND $105.00 FOR JANUARY 1983 ON.

Important: See other side for an explanation of your appeal rights and other information. ▶

TREASURY
BUREAU OF GOVERNMENT FINANCIAL OPERATIONS

PHILADELPHIA, PENNSYLVANIA

Check No. 94,526,232
SYMBOL 3061

DO NOT FOLD, SPINDLE OR MUTILATE
KNOW YOUR ENDORSER - - SIGNATURE IDENTIFICATION STAMP

United States Treasury 13-51 600

PAY TO THE
ORDER OF SAMUEL CORRADO 035-18-2097

DOLLARS	CTS.
$***270	00

43 WHITE AV 32 A 1
E PROVIDENCE RI 02915 SOC SEC FOR JAN

MONTH	DAY	YEAR
02	03	84

⑈30643⑈ ⑆000000518⑆ 94526232⑈

IN THE SUPREME COURT OF THE UNITED STATES

RECEIVED
APR 6 1984
OFFICE OF THE CLERK
SUPREME COURT, U.S.

SAMUEL CORRADO,
Appellant,

v.

SETH K. GIFFORD,
Appellee.

83-6337

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The appellant, Samuel Corrado, asks leave to file the attached Jurisdictional Statement without prepayment of costs and to proceed in forma pauperis. Appellant has been previously granted leave to so proceed in both the Superior Court and the Supreme Court of the State of Rhode Island. Appellant's affidavit in support of this motion is attached hereto.

Samuel Corrado

AFFIDAVIT

I, Samuel Corrado, being first duly sworn according to law, depose and say that I am the appellant in the above-entitled case; that in support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty I am unable to pay the costs of said case or to give security therefore; and that I believe I am entitled to redress.

I further swear that the responses which I have made to the questions and instructions below relating to my ability to pay the cost of proceeding in this Court are true.

1. Are you presently employed? Answer: No.

   The date of my last employment was during 1973. The amount of my self employment wages was $206.00 per month.

2. Have you received within the past twelve months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends or other source? Answer: Yes. My wifes SSI benefits April 1983-March 1984: $3,771.72 I have received $1,414.00 during the last 12 months from the gathering, repairing and selling of used, and scrap wooden shipping pallets. My Social Security Retirement Benefits-Oct.83-Mar.84; $1,854.00.
3. Do you own any cash or checking or savings account? Answer: No.

4. Do you own any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)? Answer: Yes.

   My wife and I own our home that is located at 43 White Avenue, East Providence, RI, Tax Assessed December 31, 1982; Valuation $4,900; Annual Tax $361.23. 1972 Chevrolet, Assessed valuation is $140.00. 1968 GMC Pick-up Truck, Assessed valuation is $300.00. Used for my part time job to collect and deliver pallets outlined in 2 above.

The question as to whether title to the real estate located at 312-314 South Main Street in Providence, R.I., Assessors Plat 16, Lot 578, that was formally owned by Appellant, Samuel Corrado and vested in the Providence Redevelopment Agency upon condemnation of said property on April 14, 1970 has been regained by Appellant upon the expiration of the Five(5)Year Statute of Limitations under Chapters 31-33, of the General Laws of Rhode Island on April 14, 1975, is an issue that is still unresolved and that is contained in Appellant's Petition for Reargument that was presented to and denied review by the Supreme Court of Rhode Island. That Petition is attached in his Jurisdictional Statement for consideration by this Supreme Court.

All funds that were deposited in account with the Providence Redevelopment Agency, Re: East Side Project No. R.I. R-4, in Savings Account No. 15-4646543 of the Industrial Bank, Providence, R.I., and Docket Number M.P. 8602, were completely withdrawn by Appellee Seth K. Gifford on February 12, 1980 upon the granting of an order of court entered on February 13, 1980, for the payment of $15,750.80 out of the Registry of Court(for C.A. 78-502) entered in M.P. 8602. Amount on hand $15,467.87. Page 415.

5. List the persons who are dependent upon you for support and state your relationship to those persons. Answer: Dorothy Corrado my wife.

I understand that a false statement or answer to any questions in this affidavit will subject me to penalties for perjury.

Samuel Corrado

Subscribed and Sworn to Before
me this 3rd day of April, 1984.

Anthony Piccirilli
Deputy Clerk
Superior Court

CIVIL ACTION

TITLE OF CASE	FILE NO.
Seth Gifford vs Samuel Corrado, et al	78-502 DEMAND FOR JURY TRIAL

ATTORNEYS FOR PLFF.	ATTORNEYS FOR DEFT.
Cynthia G. Collins	Louis J. Cosentino Samuel Corrado pro se

NO.	DATE	ENTRIES
31	2-13-80	Motion filed.
32	2-13-80	Lagueux, J.; (2-12-80) Order entered for the payment of money to Seth K. Gifford the sum of $15,750.80 from the Registry of Court.
	2-13-80	Check in the am't of $15,467.87 released (Out of M.P. 8602)
A 33	3-4-80	Certification filed.
✓ A 34	3-4-80	Motion for leave to proceed in forma pauperis
✓ A 35	3-4-80	Giannini, J.; Order entered: Motion to proceed in forma pauperis is granted.
✓ A 36	3-4-80	Defendant, Samuel Corrado, appeals to the Supreme Court from the order (s) 2/12/80 Lagueux, of the Superior Court entered on February 13, 1980. (Filed forma pauperis) Mailed copy to Cynthia G. Collins, Esq., Louis J. Cosentino Esq. Seth Gifford, Esq.
jt 37	3/14/80	Order entered.(2)
em 38	3-17-80	GIANNINI, P.J. Order entered.
✓ 39	4-5-80	Defendant, Samuel Corrado, appeals to the Supreme Court from the Order of the Superior Court entered on March 17, 1980. (Filed forma pauperis) Mailed copy to Cynthia G. Collins, Esq., Louis J. Cosentino, Esq., Seth Gifford, Esq.
40	4-7-80	Giannini, P. J.; Order entered.
jt 41	4/16/80	Order for transcript filed.
	4-29-80	Request for the delivery of the transcript or electronic sound recording made thereof on the proceeding held before Justice Lagux on Feb 12 1980

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC. SUPERIOR COURT

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

SETH K. GIFFORD	:	
-VS-	:	C.A. 78-502
SAMUEL CORRADO	:	
SAMUEL CORRADO, ET UX	:	
-VS-	:	M.P. 8701
PROVIDENCE REDEVELOPMENT AGENCY	:	
PROVIDENCE REDEVELOPMENT AGENCY EAST SIDE PROJECT NO. RI R-4	:	M.P. 8602

Defendant, Samuel Corrado, asks for leave to file the attached Notice of Appeal from the Superior Court order(s) entered in the above entitled cases, without prepayment of costs and to proceed in forma pauperis. The Order, signed by Lagueux, J., on 2/12/80, and entered following signing by the clerk, on 2/13/80. Defendant was not made a party to service of the filing or hearing on the motion nor to service of the order by the court and was not able to seek or obtain relief prior to or since entry of the order. It is defendant's contention that he has been denied due process and equal protection of the law provisions in violation of the federal Constitutional requirements secured under the Fourteenth Amendment. Defendant seeks to have the judgment(s) and the relief granted reversed and remanded to the lower court for further proceedings in compliance to any directives that may be handed down by the Supreme Court.

The defendant's affidavit in support of this motion is attached hereto.

Samuel Corrado
Samuel Corrado
Defendant, pro se

AFFIDAVIT IN SUPPORT OF PETITION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

I, Samuel Corrado, being first duly sworn according to law, depose and say that I am a defendant in the above-entitled cause, and, in support of my application for leave to proceed without being required to prepay appeal costs or fees, state as follows:

1. Because of my poverty I am unable to pay the costs of said cause on appeal.
2. I am unable to give security for the same.
3. I believe that I am entitled to the redress I seek in said cause.
4. The nature of said cause is briefly stated above and as contained in the Affidavit in support of the petition for leave to proceed in forma pauperis that was filed and granted in the within action in the United States Supreme Court. A copy of said Motion is appended hereto and made a part hereof with the same force and effect as if set out ver batim under oath.

Samuel Corrado
SAMUEL CORRADO

AFFIDAVIT/Motion To Proceed In Forma Pauperis

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SWORN TO and Subscribed to before me

this day of March 1980, A.D.

NOTARY PUBLIC

CERTIFICATION

I hereby certify that I mailed a true copy of the within Motion to all parties to be served in this action.

Samuel Corrado

Samuel Corrado

P.O. Box 973
Annex Station
Providence, RI 02901

SUPREME COURT OF THE UNITED STATES

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

SAMUEL CORRADO,
Appellant,

-v-

SETH K. GIFFORD,
Appellee.

Appellant, Samuel Corrado, asks for leave to file the attached Jurisdictional Statement on Appeal from the Supreme Court of the State of Rhode Island without prepayment of costs and to proceed in forma pauperis.

The appellant's affidavit in support of this motion is attached hereto.

Samuel Corrado,
Appellant, Pro Se.

AFFIDAVIT IN SUPPORT OF PETITION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

SAMUEL CORRADO,
Appellant,

-v-

SETH K. GIFFORD,
Appellee.

I, Samuel Corrado, being first duly sworn according to law, depose and say that I am the appellant in the above-entitled cause, and, in support of my application for leave to proceed without being required to prepay costs or fees, state:

1. Because of my poverty I am unable to pay the costs of said cause.

2. I am unable to give security for the same.

3. I believe that I am entitled to the redress I seek in said cause.

4. The nature of said cause is briefly stated as follows:

This is a civil action that was commenced by plaintiff Seth K. Gifford, an attorney at law, for his limited legal services that were performed in connection with the taking of appellant's private property in an urban renewal project under the power of eminent domain in Corrado, et ux, v. Providence Redevelopment Agency, et al., 105 R.I. 470, 252 A.2d 920 (1969). The petitioners then appeared pro se to this Supreme Court seeking a writ of certiorari, which was denied on January 12, 1970, 396 U.S. 1022, 90 S.Ct. 595, 24 L.Ed.2d 515, and subsequently, on April 6, 1970, petitioner's motion for rehearing was denied, 397 U.S. 1031, 90 S.Ct. 1268, 25 L.Ed.2d 546.

Subsequently, in a second venture, plaintiff Seth K. Gifford was retained in the proceeding on the assessment on damages to award compensation for the petitioner's property Re: Samuel Corrado et ux. v. Providence Redevelopment Agency, 117 R.I. 370 A.2d 226 (1977). The petitioners again appeared pro se to this Supreme Court Re: Samuel Corrado, et ux. v. Providence Redevelopment Agency, No. 76-6867, October Term 1977. The appeal was dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari was denied.

In the instant action the lower court has ordered and adjudged that the plaintiff, Seth K. Gifford recover from the defendant Samuel Corrado the sum of $14, 584.28 with interest and costs as provided by law; that the plaintiff, Seth K. Gifford shall have a lien to the value of the judgment in the cause denominated Samuel Corrado and Dorothy Corrado vs. Providence Redevelopment Agency M.P. 8701.; That said lien shall be satisfie from the funds paid into the registry of Court by the Defendant Providence Redevelopment Agency in the case of Samuel Corrado and Dorothy Corrado vs. Providence Redevelopment Agency, M.P. 8701.

The rendition of the above judgment flies in the face of the fact that appellant has been and is still contesting the taking of his private property and still intends to seek a final review of the taking on constitutional grounds that have been presented for review in this Supreme Court and those questions that have been and will be raised in the future upon the completion of the procedural remedies that are available to the petitioners at the present time to protect our constitutional rights.

Samuel Corrado

STATE OF RHODE ISLAND
PROVIDENCE, SC.

Duly witnessed and
sworn to before me,
a Notary Public,
this 14 day of
August 1979.

Notary Public

Best Copy Available

AFFIDAVIT OF PROOF OF SERVICE TO PARTIES OF SERVICE

I, Samuel Corrado, being first duly sworn according to law, depose and say that on the 14th Dau of August 1979, I forwarded a true copy of the within Jurisdictional Statement, Motion for leave to proceed in forma pauperis, ans affidavit in support of the petition, by causing same to be mailed first class mail via certified mail return reciept requested, from the U.S. Post Office,Turnkey, at Providenee, R.I. ;to the below listed parties of record, at his usual mailing address below stated.

Cynthia G. Collins, Esquire
Sycamore Lane
Matunuck, R.I. 02879

Louis J. Cosentino, Esq.
58 Weybosset Street
Providence, R.I. 02903

Seth K. Gifford, Esq. pro se
40 Westminster Street
Providence, R.I. 02903

I hereby further certify that all parties to be served in this action have been served .

Samuel Corrado
Samuel Corrado
Appellant Pro Se
P.O.Box 973
Annex Station
Providence, R.I. 02901

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SWORN TO and subscribed to before me
this 14 day of August 1979, A.D.

NOTARY PUBLIC

RECEIVED
APR 6 1984
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE SUPREME COURT OF THE UNITED STATES

SAMUEL CORRADO,
Appellant,

v.

SETH K. GIFFORD,
Appellee.

AFFIDAVIT OF PROOF OF SERVICE TO PARTIES OF SERVICE

I, Samuel Corrado, Appellant, pro se, being first duly sworn according to law, depose and say that on the 4th day of April 1984, I forwarded a true copy of the attached motion for leave to proceed in forma pauperis in the above entitled case, to Anthony G. Iannuccillo, Esquire, counsel for Appellee, Seth K. Gifford, P.O. Box 1355, 320 South Main Street, Providence, Rhode Island, 02901-1355, Certified Mail Return Receipt Requested P 693 092 951

Samuel Corrado
Samuel Corrado, Appellant

STATE OF RHODE ISLAND
PROVIDENCE, SC.

Subscribed and Sworn to Before me
this 4th day of April, 1984.

Brian B. Burns
NOTARY PUBLIC
BRIAN B. BURNS
Commission expires 6/86

RECEIVED
FEB 2 1984
OFFICE OF THE CLERK
SUPREME COURT, U.S.

83-6337

IN THE SUPREME COURT OF THE UNITED STATES

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

SAMUEL CORRADO, Appellant,

-v-

SETH K. GIFFORD, Appellee.

Appellant, Samuel Corrado, asks for leave to file the attached juriedictional statement on appeal from the Supreme Court of the state of Rhode Island without prepayment of costs and for leave to proceed in forma pauperis. Appellant's affidavit in support of this motion is attached hereto..

Samuel Corrado

AFFIDAVIT IN SUPPORT OF PETITION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

SAMUEL CORRADO, Appellant,

-v-

SETH K. GIFFORD, Appellee.

I, Samuel Corrado, being first duly sworn according to law, depose and say that I am the appellant in the above-entitled cause, and in support of my application for leave to proceed without being required to pre pay costs or fees, state:

1. Because of my poverty I am unable to pay the costs of said cause.

2. I am unable to give security for the same.

3. I believe that I am entitled to the redress I seek in said cause.

4. The nature of said cause is briefly stated as follows:

Page-2-Attached

This is a civil action that was commenced by the plaintiff Seth K. Gifford, an attorney at law, for his limited legal services that were performed in connection with the taking of appellant's private property in an urban renewal project under the power of eminent domain in Corrado,et ux, v. Providence Redevelopment Agency, et al., 105 R.I. 470, 252 A.2d 920 (1969).

The petitioners then appeared pro se, to this Supreme Court seeking a writ of certiorari which was denied on January 12, 1970, in 396 U.S. 1022, 90 S.Ct. 595, 24 L.Ed.2d 515, and subsequently, on April 6, 1970, petitioners motion for rehearing was denied in 397 U.S. 1031, 90 S.Ct. 1268, 25 L/Ed.2d 546.

Subsequently, in a second venture, plaintiff Seth K. Gifford was retained in the proceeding on the assessment on damages to award compensation for the petitioners property, Re: Samuel Corrado et ux. v. Providence Redevelopment Agency, 117 R.I. 370 A.2d 226 (1977). The petitioners again appeared pro se to this court in Re: Sanuel Corrado et ux v. Providence Redevelopment Agency, No. 76-6867, October Term 1977. The appeal was dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari was also denied.

In the later action the lower court ordered and adjudged that the plaintiff Seth K. Gifford recover from the defendant Samuel Corrado the sum of $14,584.28 with interest and costs as provided by law; that the plaintiff, Seth K. Gifford shall have a lien to the value of the judgment in the cause denominated Samuel Corrado and Dorothy Corrado v. Providence Redevelopment Agency, M.P. 8701; That said lien shall be satisfied from the funds paid into the Registry of Court by the Defendant Providence Redevelopment Agency, in the case of Samuel Corrado and Dorothy Corrado v. Providence Redevelopment Agency, in M.P. 8701.

The rendition of the above judgment flies in the face of the fact that appellant has been and still is contesting the taking of his private-historic property, The pre colonial Rebecca Williams House, c. 1768-1775. Rebecca was the G.Granddaughter of the Founder of Providence Plantations in 1636, Roger Williams. Mr. Corrado is still seeking a final review of the taking of his private historic property on constitutional grounds that have been presented for review in this Honorable Supreme Court on those questions that have been and will be raised in the procedural remedies that may be afforded to this litigant in his present appeal to protect and to preserve his constitutional rights under the United States Constitution.

Copies of the social security benefits received by me and my spouse are appended hereto.

Samuel Corrado

Samuel Corrado

STATE OF RHODE ISLAND
PROVIDENCE, SC.

Duly witnessed and sworn
to before me as a Notary Public,
this 23 day of Feb. ,1984,

Notary Public

My Commission Expires June 30, 1986

83-6337

AFFIDAVIT OF PROOF OF SERVICE TO PARTIES OF SERVICE

I, Samuel Corrado, being first duly sworn according to law, depose and say that on the 22nd day of February 1984, I forwarded a true copy of the within jurisdictional statement, motion for leave to proceed in forma pauperis, and affidavit in support of the petition, by causing same to be mailed first class mail via certified mail, return reciept requested, from the U.S. Post Office, Turnkey, Providence, Rhode Island; to the below listed parties of record, at their usual mailing addresses below.

Marie C. Vaccarelli, Esquire
320 South Main Street
Providence, R.I. 02903

Chief of Legal Division
Providence Redevelopment Agency
40 Fountain Street
Providence, R.I. 02903

Samuel Corrado
Samuel Corrado
Post Office Box 973
Annex Station
Providence, R.I. 02901

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SWORN TO and subscribed to before me this 23 day of Feb. 1984.

NOTARY PUBLIC

My Commission Expires June 30, 19[illegible]